



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

October 8, 2020

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

Present: Mayor John Rees and Commissioners
Lisa L. Bennett – District 1 Bob Buchanan – District 2
Mark A. Maciel – District 3 Colin Sharman – District 4

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimmage, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Jon Williams, Community Development Director Stephen Pash, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Information Technology Director Chad Morrill and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of September 17, 2020 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

2. **PRESENTATION**

- A. **Proclamation 20-07:** Proclaiming October as Outdoor Dining Month was read by Mayor Rees.
- B. **Proclamation 20-09:** Proclaiming October 15th as Blind Americans Equality Day was read by Mayor Rees.

3. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

- A. **Ordinance 20-19:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.07 +/- ACRES OF LAND GENERALLY LOCATED AT 199 S MAIN STREET AND 158 S WOODLAND STREET ON THE NORTHEAST CORNER OF S MAIN STREET AND E SMITH STREET, FROM C-1 (CENTRAL COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE SMITH STREET LUXURY STUDIOS PUD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinance 20-19 by title only. Staff requested postponement of this item to a first reading and public hearing on October 22, 2020 at 6:30 p.m.

Motion by Commissioner Buchanan to POSTPONE Ordinance 20-19 to a first reading and public hearing on October 22, 2020 at 6:30 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.

- B. **Ordinance 20-37:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 15.83 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ON WEST PLANT STREET, WEST OF LAKEVIEW ROAD AND SOUTH OF TILDENVILLE SCHOOL ROAD, FROM R-2 (RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE A FOUND LIFE PUD; PROVIDING FOR NONSEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinance 20-37 by title only. Community Development Director Pash stated that the applicant requests postponement of this item to a first reading and public hearing on October 22, 2020 at 6:30 p.m.

Motion by Commissioner Sharman to POSTPONE Ordinance 20-37 to a first reading and public hearing on October 22, 2020 at 6:30 p.m. Seconded by Commissioner Bennett and carried unanimously 5-0.

- C. **Ordinance 20-46:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY CODE WITH RESPECT TO STORMWATER UTILITY FEES AND USE THEREOF; PROVIDING FOR INCREASE OF THE STORMWATER UTILITY FEE FOR THE YEARS 2021 THROUGH 2025; CLARIFYING CITY AUTHORITY TO MAINTAIN, REPAIR, AND REPLACE CERTAIN NON-PUBLIC STORMWATER IMPROVEMENTS AND TO EXPEND FUNDS COLLECTED VIA THE CITY'S STORMWATER FEE THEREON; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinance 20-46 by title only. Assistant City Manager of Public Services Williams stated that Ordinance 20-46 proposes to amend sections 78-203 & 78-205 of the code to authorize the city maintain, repair or improve certain portions of a privately owned stormwater system serving a public benefit. It provides for an adjustment to the current monthly fee of \$6.00 for fiscal years 2021-2025. He noted that for the current fiscal year, staff is recommending an initial increase of \$2.00 to become effective with utility bills rendered on and after January 1, 2021 and followed by an increase of \$0.25 for fiscal years 2022 through 2025, becoming effective each October 1st. Mr. Williams recognized the City's Rate Consultant, Murray Hamilton to provide a brief presentation on the proposed rate adjustment.

Murray Hamilton, Senior Manager with Raftelis, a utility rate and financial consulting firm, gave a presentation regarding the current rate study. He noted that the last stormwater study was conducted in 2005 and was through 2010. Since 2010, the rates have not been adjusted. He spoke of some changes which had occurred over that time.

Mr. Hamilton highlighted various items from the rate study also displaying rate comparisons of other local cities, many of which he states are currently addressing their stormwater needs. Mr. Hamilton concluded with recommending the proposed rate increases to make necessary improvements to become effective with bills rendered on and after January 1, 2021 and each October 1st thereafter. Also recommending a study update within three to five years. Mr. Hamilton then recognized City Manager Bollhoefer for additional comments.

City Manager Bollhoefer addressed repairs to some stormwater systems in many communities over the years, describing drainage issues with systems and noting the inability of most Homeowner's Associations (HOA) to fix these type problems. Mr. Bollhoefer noted several repairs to stormwater systems and City-assisted repairs; specifically noting significant issues within the neighborhood of Lakeview Reserve. He expressed that with this funding, the City would be able to help communities throughout the City of Winter Garden.

Mayor Rees sought clarification on the rate, the revenue and the timeframes, noting that the citizens understand more when the City is covering its capital and expenses.

Commissioner Bennett noted issues that needed addressing in her district and how grateful the residents are that the City can assist in these efforts. Commissioner Buchanan noted additional areas that were also assisted.

Commissioner Maciel addressed potential problems with newer subdivision and inquired about the confidence of the City in Homeowner's Association (HOA) being prepared for their potential issues going forward. Mr. Bollhoefer responded that he does not feel the HOAs would be prepared to address these issues in the future as the setting aside of funding is not required and therefore is not done. Mr. Bollhoefer expressed that by doing this the City is able to get ahead of the issues.

Commissioner Maciel inquired if the City could require the HOAs, when coming in, cover these issues in their documentation. There was discussion on the inclusion of language in the ordinance to address these issues and Mr. Bollhoefer surmised that the residents would end up paying for these issues in one way or another.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting.

John Davis, 219 Zachery Wade Street, Winter Garden, Florida stated that he lives at the end of Lakeview Reserve. He shared that he was a retired land use planner and he spoke in favor of this ordinance which he stated addresses the emerging issues quite efficiently. Mr. Davis complimented the City, the City Commission and City staff on the quality of life here in Winter Garden and also commended City Manager Bollhoefer.

Ron Mueller, 709 S. Lake Cove Pointe Circle, Winter Garden, Florida spoke in favor of the ordinance. He described past issues and current efforts of the Lake Cove Pointe community and their Homeowner's Association in addressing related drainage and stormwater issues.

After waiting and receiving no additional public calls or comments, he closed the public hearing.

Motion by Commissioner Sharman to approve Ordinance 20-46 with the second reading and public hearing scheduled for October 22, 2020 at 6:30 p.m. Seconded by Commissioner Bennett and carried unanimously 5-0.

- D. **Ordinance 20-47:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 5.83 +/- ACRES OF LAND GENERALLY LOCATED AT 855 & 955 SOUTH DILLARD STREET, EAST OF SOUTH DILLARD STREET, SOUTH OF EAST PALMETTO STREET, NORTH OF WEST COLONIAL DRIVE, AND WEST OF GRAND ROYAL CIRCLE; FROM C-2 (CENTRAL COMMERCIAL DISTRICT) AND FROM THE EXISTING PLANNED COMMERCIAL DEVELOPMENT (PCD) ADOPTED BY ORDINANCE 06-23, TO PCD (PLANNED COMMERCIAL DEVELOPMENT) AS SET FORTH IN THIS ORDINANCE; PROVIDING FOR CERTAIN PCD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE CENTRAL PARC AT WINTER GARDEN PCD; REPEALING AND REPLACING ORDINANCE 06-23; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinance 20-47 by title only. Community Development Director Pash stated that this is a request to rezone the property located at 855 & 955 South Dillard Street from C-2 to PCD. Mr. Pash displayed and described the layout of the included proposed improvements, buffers, entrances and access. Also displayed was an elevation concept for the City Commission's review. Staff recommends approval of Ordinance 20-47.

Mayor Rees inquired about the square footage for the townhomes. Mr. Pash noted that this was not included but that they start at approximately 1900 square feet.

Commissioner Sharman inquired if the neighborhood behind this development was in favor of it. Mr. Pash responded that there had been a community meeting and most questions were directed toward improvements on Cypress Street. He noted that there were conversations about cross access and information given regarding a traffic study. Mr. Bollhoefer responded that there were no objections and noted that this location was approved for another type of development and that this one is a significant improvement.

There was discussion on the building's height and location on the property.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting and receiving no public calls or comments, he closed the public hearing.

Mayor Rees sought affirmation that the neighbors behind this development had no issues with the building height being two stories. Mr. Pash affirmed that there were no issues.

Motion by Commissioner Buchanan to approve Ordinance 20-47 with the second reading and public hearing scheduled for October 22, 2020 at 6:30 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.

- E. **Ordinance 20-48:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA VACATING A PORTION OF THE PLAT DEDICATED DRAINAGE AND UTILITY EASEMENT OVER LOT 16 OF WESTFIELD LAKES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGE 35, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA (LOCATED AT 427 ENGLISH LAKE DRIVE, WINTER GARDEN, FLORIDA), AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE AND RECORDING.

City Attorney Ardaman read Ordinance 20-48 by title only. Community Development Director Pash stated that the owners of the property are requesting to vacate a portion of the platted dedicated drainage and utility easement over the lot. He explained that this Lot 16 was combined with the platted tract, but the existing drainage and utility easement between the two lots was never vacated. So the owner is requesting to vacate this portion of the existing easement and replace it with a new one. Staff recommends approval of Ordinance 20-48.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Maciel to approve Ordinance 20-48 with the second reading and public hearing scheduled for October 22, 2020 at 6:30 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.

- F. **Ordinance 20-52:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.17 ± ACRES LOCATED AT 21 WEST SMITH STREET ON THE NORTHEAST CORNER OF WEST SMITH STREET AND SOUTH BOYD STREET FROM CITY R-2 RESIDENTIAL DISTRICT TO CITY C-1 CENTRAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinance 20-52 by title only. Community Development Director Pash stated that the owners of 21 West Smith Street have requested to rezone the property from R-2 to C-1. He noted that this is consistent with the exiting future land use designation. They intend to build a single story office on the property which will require review by the Architectural Review and Historic Preservation Board as well as a site plan review. Staff recommends approval of Ordinance 20-52.

There was discussion on whether there were potential options for the building height to change. It was noted that a two-story building could not be approved at this location without first requesting a parking exception; controlling the issue in this is a way.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Buchanan to approve Ordinance 20-52 with the second reading and public hearing scheduled for October 22, 2020 at 6:30 p.m. Seconded by Commissioner Maciel and carried unanimously 5-0.

4. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

- A. **Ordinance 20-39:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.01 ± ACRES LOCATED AT 465 PALM STREET, EAST OF 5TH STREET, WEST OF 9TH STREET, SOUTH OF MAGNOLIA STREET, AND NORTH OF PALM STREET INTO THE CITY OF WINTER GARDEN, FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- B. **Ordinance 20-40:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.01 ± ACRES LOCATED AT 465 PALM STREET, EAST OF 5TH STREET, WEST OF 9TH STREET, SOUTH OF MAGNOLIA STREET, AND NORTH OF PALM STREET FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- C. **Ordinance 20-41:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.01 ± ACRES LOCATED AT 465 PALM STREET, EAST OF 5TH STREET, WEST OF 9TH STREET, SOUTH OF MAGNOLIA STREET, AND NORTH OF PALM STREET FROM ORANGE COUNTY A-1 CITRUS RURAL DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinances 20-39, 20-40 and 20-41 by title only. Community Development Director Pash stated that this is a voluntary annexation and noted the location. He stated that the property would have a future land use designation of low density residential and an R-1 zoning. Staff recommends approval of Ordinances 20-39, 20-40 and 20-41.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Sharman to adopt Ordinances 20-39, 20-40 and 20-41. Seconded by Commissioner Maciel and carried unanimously 5-0.

- D. **Ordinance 20-42:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.96 ± ACRES LOCATED AT 15411, 15540, AND 15541 E OAKLAND AVE AND 841 TILDEN OAKS TRAIL, ON THE NORTHWEST, NORTHEAST, AND SOUTHWEST CORNERS OF E OAKLAND AVE AND TILDEN OAKS TRAIL, FROM LOW DENSITY RESIDENTIAL TO RESIDENTIAL NEIGHBORHOOD COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinance 20-42 by title only. Community Development Director Pash described the location of the properties. He stated that the applicant requests amending the future land use designation and change zoning from low density residential to residential neighborhood commercial. He noted that those changes are consistent with the approved Planned Unit Development (PUD). Staff recommends approval of Ordinance 20-42.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Buchanan to adopt Ordinance 20-42. Seconded by Commissioner Bennett and carried unanimously 5-0.

- E. **Ordinance 20-43:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.27 ± ACRES LOCATED AT 198 AND 176 NORTH WEST CROWN POINT ROAD, EAST OF HENNIS ROAD, WEST OF NORTH WEST CROWN POINT ROAD, NORTH OF PINELOCH INDUSTRIAL DRIVE, AND SOUTH OF RAILROAD AVENUE INTO THE CITY OF WINTER GARDEN, FLORIDA; REDEFINING THE CITY BOUNDARIES TO

GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

- F. **Ordinance 20-44**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 0.27 ± ACRES LOCATED AT 198 AND 176 NORTH WEST CROWN POINT ROAD, EAST OF HENNIS ROAD, WEST OF NORTH WEST CROWN POINT ROAD, NORTH OF PINELOCH INDUSTRIAL DRIVE, AND SOUTH OF RAILROAD AVENUE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- G. **Ordinance 20-45**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.27 ± ACRES LOCATED AT 198 AND 176 NORTH WEST CROWN POINT ROAD, EAST OF HENNIS ROAD, WEST OF NORTH WEST CROWN POINT ROAD, NORTH OF PINELOCH INDUSTRIAL DRIVE, AND SOUTH OF RAILROAD AVENUE FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Ordinances 20-43, 20-44 and 20-45 by title only. Community Development Director Pash stated that this is a voluntary annexation and noted the location. The property would have C-2 zoning and a commercial future land use designation. Staff recommends approval of Ordinances 20-43, 20-44 and 20-45.

There was discussion on a small office being planned for this location.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Maciel to adopt Ordinances 20-43, 20-44 and 20-45. Seconded by Commissioner Sharman and carried unanimously 5-0.

5. **REGULAR BUSINESS**

- A. **Recommendation to approve purchase of one new Automated Side Load Garbage Truck from Nextran Truck Sales utilizing the Florida Sheriff's Association & Florida Association of Counties Contract in the amount of \$283,728.60**

Fleet and Facilities Division Manager Caines stated that this is a request for the purchase of one new Automated Side Load Garbage Truck from Nextran Truck Sales utilizing the Florida Sheriff's Association & Florida Association of Counties Contract. This is a replacement vehicle with an anticipated purchase price in the amount of \$283,728.60.

Mayor Rees inquired of the remaining vehicles which require manual lifting of the recycle bins. Mr. Caines responded that the City has approximately six trucks that require manual labor and explained that there are some areas and some uses that

would require it. There was discussion on these trucks and the desire for the City to move forward in the future toward more automated trucks.

Motion by Commissioner Sharman to approve purchase of one new Automated Side Load Garbage Truck from Nextran Truck Sales utilizing the Florida Sheriff's Association & Florida Association of Counties Contract in the amount of \$283,728.60. Seconded by Commissioner Bennett and carried unanimously 5-0.

B. Recommendation to approve authorization to dispose of Surplus Vehicles and Equipment

Fleet and Facilities Division Manager Caines stated that as the City purchases newer vehicles there is the need to move some of the older ones out. Mr. Caines referred to the list in the agenda packet of vehicles that are no longer useable and equipment that has become obsolete, unusable or out of date.

There was discussion on some of the police cars and those coming out of service over this past fiscal year.

City Manager Bollhoefer noted one item that would be donated as opposed to being auctioned.

Motion by Commissioner Sharman to approve authorization to dispose of Surplus Vehicles and Equipment. Seconded by Commissioner Buchanan and carried unanimously 5-0.

C. Recommendation to approve purchases of Mack Chassis from Nextran Truck Sales and Vactor sewer cleaning machine from Environmental Products Group utilizing the Florida Sheriff's Association & Florida Association of Counties and Sourcewell Contracts in the amount of \$424,252.50

Fleet and Facilities Division Manager Caines stated that this is a request to purchase a new sewer cleaning truck. This is for sewer and stormwater and is a combined purchase. This request is for a Mack Chassis from Nextran Truck Sales utilizing the Florida Sheriff's Association & Florida Association of Counties. The Mack Chassis would be purchased on the Sourcewell contract from Environmental Products Group. The two items are for a purchase price in the amount of \$424,252.50. Mr. Caines noted that although this is a replacement truck for a 2008 model, the other truck would be kept as a spare. Staff recommends approval.

Motion by Commissioner Sharman to approve purchases of Mack Chassis from Nextran Truck Sales and Vactor sewer cleaning machine from Environmental Products Group utilizing the Florida Sheriff's Association & Florida Association of Counties and Sourcewell Contracts in the amount of \$424,252.50. Seconded by Commissioner Bennett and carried unanimously 5-0.

D. Recommendation to approve sole source purchase of one new Sewer Line TV and Video Truck from CUES Inc. in the amount of \$186,355.00

Fleet and Facilities Division Manager Caines stated that this request is for the purchase of one new Sewer Line TV and Video Truck. He explained its purpose and how it works. He noted that this is compatible with the equipment that the City currently has, allowing everything to work functionally together. The purchase price in the amount of \$186,355.00.

Commissioner Buchanan inquired if this is a remote. Mr. Caines responded yes and there was discussion on its function and remote retrieval capabilities.

Motion by Commissioner Buchanan to approve sole source purchase of one new Sewer Line TV and Video Truck from CUES Inc. in the amount of \$186,355.00. Seconded by Commissioner Sharman and carried unanimously 5-0.

E. Recommendation to approve Community Development Block Grant (CDBG) Rehab Debt Forgiveness for 500 Seminole Street (Patricia Vernosky), with public comment

City Manager Bollhoefer explained that this is a house that was rehabilitated by the Community Development Block Grant. The contract requires the debt be forgiven at the demise of the owner. He explained that this utilized Federal funds and did not cost the City. He also noted that the City does not have an option in this issue.

Motion by Commissioner Bennett to approve Community Development Block Grant (CDBG) Rehab Debt Forgiveness for 500 Seminole Street (Patricia Vernosky). Seconded by Commissioner Maciel and carried unanimously 5-0.

F. Recommendation to approve SITE PLAN for 14140 W. Colonial Drive (Dunkin), subject to conditions

Community Development Director Pash stated that this is the site plan review for 14140 W. Colonial Drive (Dunkin). The site is to be developed with at 1,590 square foot Dunkin Doughnuts with a drive-thru, parking lot and landscaping. He noted that the development is consistent with the property's PCD zoning. The site plan has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions.

Commissioner Maciel disclosed that he would recuse himself from voting on this item due to conflict of interest.

There was also discussion on the types of establishments on State Road 50.

Motion by Commissioner Buchanan to approve SITE PLAN for 14140 W. Colonial Drive (Dunkin), subject to conditions. Seconded by Commissioner Sharman and carried 4-0-1; Commissioner Maciel abstained.

- G. Recommendation to approve SITE PLAN for 776 Business Park Boulevard (Lizzi Warehouse), subject to conditions

Community Development Director Pash stated that this is the site plan for 776 Business Park Boulevard. The applicant requests to develop the site with a 10,340 square foot warehouse building and various site improvements. The site plan has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions.

Motion by Commissioner Sharman to approve SITE PLAN for 776 Business Park Boulevard (Lizzi Warehouse), subject to conditions. Seconded by Commissioner Bennett and carried unanimously 5-0.

- H. Recommendation to approve SITE PLAN for 14130 W. Colonial Drive (Vystar Credit Union), subject to conditions

Community Development Director Pash stated that this is the site plan for 14130 W. Colonial Drive. The applicant proposes to develop the site with a 2,800 square foot Vystar Credit Union with a drive-thru and various site improvements. The use and design are consistent with approved PCD. The site plan has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions.

Commissioner Maciel disclosed that he would recuse himself from voting on this item due to conflict of interest.

Mayor Rees commented on the visual of the design structure.

Motion by Commissioner Buchanan to approve SITE PLAN for 14130 W. Colonial Drive (Vystar Credit Union), subject to conditions. Seconded by Commissioner Sharman and carried 4-0-1; Commissioner Maciel.

- I. Recommendation to approve SITE PLAN for 14580 W. Colonial Drive (Wash & Go), subject to conditions

Community Development Director Pash stated that this is the site plan for 14580 W. Colonial Drive. The applicant requests to demolish an existing vacated gas station and redevelop the site with a 4,400 square foot car wash building with 25 vacuum stations under a canopy, with landscaping and the associated site improvements. The site plan has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions.

Mayor Rees commented on the difficulty in determining what the building would look like from the street and inquired as to any location that could be visited for a visual. City Manager Bollhoefer recognized the applicant in the audience who approached and shared a display of the conceptual drawing with the City Commissioners.

Motion by Commissioner Bennett to approve SITE PLAN for 14580 W. Colonial Drive (Wash & Go), subject to conditions. Seconded by Commissioner Maciel and carried unanimously 5-0.

J. Recommendation to approve Grease Trap Easement Agreement for 270 West Plant Street (Crazy Plant Holdings LLC.)

Community Development Director Pash stated that this is an easement agreement to allow the property at 270 West Plant Street to install three grease traps on City property. He noted that there is already an easement for this property to use for outdoor seating at their restaurant. Staff recommends approval.

Mayor Rees inquired as to whether this was five feet. Mr. Pash explained that there is a five foot easement for extending use of their canopies and an existing easement of five feet for the outdoor seating, for a total of ten feet.

Motion by Commissioner Buchanan to approve Grease Trap Easement Agreement for Crazy Plant Holdings LLC located at 270 West Plant Street. Seconded by Commissioner Bennett and carried unanimously 5-0.

6. **MATTERS FROM PUBLIC**

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting.

Joseph Richardson, 220 N. Highland Avenue, Winter Garden, Florida thanked City Manager Bollhoefer for meeting with him regarding a landscape issue and noted he would have additional comments at a later time.

Mr. Richardson voiced his opinion about an announcement made by Mayor Rees at a prior meeting regarding the appointment of Winter Garden resident, Jamie Grosshans, to the Florida Supreme Court.

Mayor Rees, after waiting and receiving no additional public calls or comments, closed the public hearing.

7. **MATTERS FROM CITY ATTORNEY** – There were no items.

8. MATTERS FROM CITY MANAGER

Update

City Manager Bollhoefer gave the City Commission an update on upcoming events and activities, noting that the City would take a wait and see approach on organizing future events. He noted that the businesses downtown are doing well and that the City is actively reviewing health and business for ensuring balance as it sets policies. Mr. Bollhoefer commended Parks and Recreation Director Laura Coar on how well the downtown looks. He noted that the City would assess the events leading up to Halloween before moving forward with recommendations for future events.

9. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Sharman shared that West Orange High School and Olympia High School had to shut down due to issues with the spread of the COVID-19 Coronavirus as some students are not following guidelines.

Commissioner Sharman also thanked City Manager Bollhoefer and Police Chief Graham for recent traffic enforcements.

Commissioner Maciel thanked City staff for their efforts, particularly during COVID-19.

Commissioner Buchanan echoed Commissioner Maciel's comments also thanking staff and also commented on how well the City looks with its lights going up.

Commissioner Bennett thanked City Manager Bollhoefer and staff for all their efforts in resolving the drainage issues in District 1.

Mayor Rees commented on the decorations in the City and asked that it be relayed to staff how much it is appreciated.

The meeting adjourned at 7:50 p.m.

APPROVED:

/S/

Mayor John Rees

ATTEST:

/S/

City Clerk Angee Grimmage, CMC